

United States District Court
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FRANCOIS AUGUSTON,

Plaintiff,

v.

**NATIONAL ADMINISTRATIVE
SERVICE CO., LLC, *et al.*,**

Defendants.

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Civil Action No. 4:21-cv-819-ALM-KPJ

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 11, 2023, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #18).

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED** that Defendant Affordable Auto Protection, LLC’s (“Affordable”) Motion to Dismiss Plaintiff Francois Auguston’s First Amended Complaint (Dkt. #11) and Defendant Gustav Renny’s (“Renny”) Motion to Dismiss Plaintiff, Francois Auguston’s, First Amended Complaint (Dkt. #13) are **GRANTED** to the extent they seek to

dismiss Plaintiff's claims pursuant to Rule 12(b)(2); and Plaintiff's claims against Affordable and Renny are **DISMISSED WITHOUT PREJUDICE** for lack of personal jurisdiction.

IT IS FURTHER ORDERED that Defendant National Administrative Service Co., LLC's Motion to Dismiss Plaintiff Francois Auguston's First Amended Complaint (Dkt. #12) is **DENIED**.

SIGNED this 7th day of February, 2023.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE